

**IN THE UNITED STATES DISTRICT COURT OF
THE SOUTHERN DISTRICT OF TEXAS**

Gary Lancaster

Plaintiff,

vs.

Carnival Corporation

Defendant.

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Civil Action No.: 4:20-cv-03122

JOINT MOTION FOR DISMISSAL

Gary Lancaster and Carnival Corporation move for dismissal under FED. R. CIV. P. 23(e) and 41(a)(2), after representing:

1. All parties join this motion.
2. On September 4, 2020, Lancaster filed the Complaint. Dkt.1.
3. Carnival has not answered or otherwise responded.
4. Counsel for the parties discussed the Lancaster's claims and submit the attached declaration of Dave Chang (Exhibit A).
5. All parties move for an order dismissing Lancaster's claims with all parties to bear their own expenses and attorney's fees, except that Carnival agrees to reimburse Lancaster for his court cost for filing the Complaint (\$400).

Lancaster and Carnival move for dismissal pursuant FED. R. CIV. P. 23(e) and FED. R. CIV. P. 41(a)(2). Cost of court (limited to filing fees of \$400) are to be paid by Carnival.

Respectfully submitted,

/s/ Scott M. Clearman

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Carnival Corporation

CERTIFICATE OF SERVICE

I hereby certify that on this the 4th day of December, 2020, a true and correct copy of the foregoing document was filed with the Clerk of Court using the CM/ECF system. Notice of this filing will be served on all parties hereto via the CM/ECF mail notification system.

/s/ Krystal P. Scott

Krystal Pfluger Scott